

EXHIBIT A

SECURITIES AND EXCHANGE
COMMISSION,

V.

NO. 09 Civ. 4346 (PGG)

ECF CASE

and

Relief Defendant.

I, John Stratton, affirm and state as follows:

3) The Subpoena states that I should appear for trial testimony on October 1, 2012. I understand that the trial is scheduled to commence on October 9, 2012 and continue for several weeks thereafter.

4) I am not available to testify October 22 through October 29, 2012. I will be on a previously planned trip to South Carolina with approximately 30 family members and friends between October 22 and October 29, 2012.

5) Requiring me to appear in New York City to testify on the dates on which I am unavailable, as set forth above, would subject me to undue burden and expense.

6) Accordingly, I seek an order from the Court protecting me from testifying on the foregoing dates on which I am not available.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Reading, Massachusetts
September 28, 2012


John Stratton